

Notice of Allowability

Application No.

09/659,428

Examiner

Susanna M. Diaz

Applicant(s)

VERMA ET AL.

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's after-final amendment filed March 21, 2005.
2. ☒ The allowed claim(s) is/are 17.
3. ☒ The drawings filed on 08 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Susanna M. Diaz
SUSANNA M. DIAZ
PRIMARY EXAMINER
AU 3623

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows: Based on Applicant's remarks on page 20 of Applicant's response, claim 44 is understood to be cancelled. The cancellation of claim 44 is clarified in the attached Examiner's Amendment, which corrects the status identifier of claim 44 to state "cancelled."

2. Claim 17 is allowed.

3. The following is an examiner's statement of reasons for allowance:

The art of record most closely resembling the claimed invention is the combination of the following references:

Ziff-Davis' NetBuyer, as disclosed in "Ziff-Davis Signs Up 189 Advertisers for the Coming Launch of Its Computer Shopper NetBuyer Web Site" and "Nothing But Net: Useful Internet Sites";

NetDynamics, as disclosed in "Service Merchandise Uses NetDynamics to Move Its Entire Catalog Onto the Internet"; and

Various teachings of Official Notice.

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While NetBuyer provides the basis for an online shopping system that allows buyers to compare product specifications and prices among vendors and NetDynamics discloses an online shopping system that allows buyers to check the immediate, physical availability of a product in a local store's inventory and the ability to reserve such a product for immediate pick-up at the store, neither NetBuyer nor NetDynamics nor the combination thereof discloses or suggests the combination of these online shopping features with the following combination of features recited in claim 17:

“collecting additional information from sales circulars...

entering geographical region, postal code, town name, county name, state name, product name, product category, model number, product description, price, product features, or brand name into a search key...

entering data for merchants offering a specific product in a specific state into the database, wherein the data includes merchant name, product description, sales price, coupons or rebates...

presenting options to the prospective buyer for choosing a state and a product;
choosing a state and a product by the prospective buyer;
retrieving the data after the state and product are chosen;
sorting records in an ascending order based on sales price into a listing;
presenting the prospective buyer with the listing of merchants offering the product for sale in the chosen state...

mapping the data to a unique address for a geographical area-product combination;

connecting to the unique address;
immediately presenting comparison data for a unique geographical area-product pair to the prospective buyer;
checking inventory at a local store of a merchant upon request of a prospective buyer to determine availability of a chosen product;
reserving the product at the local store for pickup after determining availability has been performed;
entering a registration token or a credit card number;
accepting the registration token or credit card number by the merchant;
guaranteeing a purchase by the merchant based on the accepting of the registration token or credit card number by the merchant.”

For this reason, claim 17 is deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 25, 2005


SUSANNA M. DIAZ
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